

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THE CONFEDERATION OF NORTH, CENTRAL:  
AMERICAN AND CARIBBEAN ASSOCIATION : No. 1:17-CV-02304 (WFK) (SMG)  
FOOTBALL, :  
: Plaintiff, : **DECLARATION OF JOHN J.**  
: : **KUSTER IN SUPPORT OF**  
- against - : **PLAINTIFF'S MOTION FOR**  
: **DEFAULT JUDGMENT**  
AUSTIN JACK WARNER, THE ESTATE OF :  
CHARLES BLAZER, ELIZABETH MANZO, :  
ESQ., Administrator CTA, substituted as parties on :  
behalf of CHARLES BLAZER, :  
SPORTVERTISING (NY), SPORTVERTISING :  
(CAYMAN), EN PASSANT LTD., EN :  
PASSANT INC., MULTISPORT GAMES :  
DEVELOPMENT INC., :  
: Defendants. :  
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**I, JOHN J. KUSTER,** hereby declare under the penalty of perjury as follows:

1. I am an attorney admitted to practice in the State of New York and this Court, and I am a partner at the law firm of Sidley Austin LLP (“Sidley Austin”), counsel for Plaintiff the Confederation of North, Central American and Caribbean Association Football (“CONCACAF”) in the above-captioned matter. I submit this Declaration in Support of Plaintiff’s Memorandum of Law in Support of its Motion for Default Judgment.

2. Attached hereto as Exhibit 1 is a true and correct copy of CONCACAF’s Complaint, filed on April 18, 2017, against Austin Jack Warner, Charles Blazer, Sportvertising (NY), Sportvertising (Cayman), En Passant Ltd., En Passant Inc., and Multisport Games Development Inc., and the summons issued on April 19, 2017 by the Clerk of the Court of the United States District Court of the Eastern District of New York, against Defendant Austin Jack Warner.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Certificate of Default issued on April 11, 2019 by the Clerk of the Court of the United States District Court of the Eastern District of New York, against Defendant Austin Jack Warner pursuant to Fed. R. Civ. P. 55(a).

4. Attached hereto as Exhibit 3 is a true and correct copy of the unsealed Superseding Indictment filed by the United States in *United States of America v. Hawit et al.*, No. 15-CR-252 (PKC).

5. Attached hereto as Exhibit 4 is a true and correct copy of the Information filed in *United States v. Blazer*, No. 13-CR-602 (RJD), dated November 25, 2013.

6. Attached hereto as Exhibit 5 is a true and correct copy of the transcript of Charles Blazer's guilty plea and allocution dated November 25, 2013 in *United States v. Blazer*, Nos. 13-CR-602, 13-MC-1011 (RJD).

7. Attached hereto as Exhibit 6 is a true and correct copy of Plaintiff's Request for International Judicial Assistance, executed by Judge William F. Kuntz, II, on May 19, 2017.

8. Attached hereto as Exhibit 7 is a true and correct copy of the letter dated May 22, 2017, from Sidley Austin to Ms. Jade Rodriguez, the Registrar of the Supreme Court of Trinidad and Tobago.

9. Attached hereto as Exhibit 8 is a true and correct copy of the letter dated August 7, 2017, from Sidley Austin to Ms. Shabiki Cazabon, the Registrar of the High Court of Justice of Trinidad and Tobago.

10. Attached hereto as Exhibit 9 is a true and correct copy of the email correspondence dated June 16, 2017 to August 9, 2017 between Ms. Shabiki Cazabon, the Registrar of the High Court of Justice of Trinidad and Tobago and Sidley Austin.

11. Attached hereto as Exhibit 10 is a true and correct copy of the letter dated August 21, 2017, from Sidley Austin to the Senator The Honourable Dennis Moses, Minister of Foreign and CARICOM Affairs. Plaintiff did not receive a response to this letter.

12. Attached hereto as Exhibit 11 is a true and correct copy of the letter dated October 10, 2017, from Sidley Austin to the Senator The Honourable Dennis Moses, Minister of Foreign and CARICOM Affairs. Plaintiff did not receive a response to this letter.

13. Attached hereto as Exhibit 12 is a true and correct excerpted copy of the email correspondence dated March 13, 2019, between Ms. Tricia Bhagwandeen-Sadho, Assistant Registrar of the High Court of Justice of Trinidad and Tobago and Ms. Cherie Gopie of M Hamel-Smith & Co., CONCACAF's local counsel in Trinidad. Prior to this communication, local counsel made multiple attempts at confirming service on Plaintiff's behalf but received no response to its inquiries. Thus, it had been Plaintiff's understanding that service upon Warner had not yet been effected.

14. Attached hereto as Exhibit 13 is a true and correct copy of the notarized Affidavit of Service of Foreign Process signed by Ena Dalton, Marshal's Assistant of the Supreme Court of Judicature of the Republic of Trinidad and Tobago, dated November 1, 2017.

15. Attached hereto as Exhibit 14 is a true and correct copy of the Certificate Issued Pursuant to Part 76.2(5) of the Civil Proceedings Rules 1998 (as amended) of the Supreme Court of Judicature of the Republic of Trinidad and Tobago in Respect of the Service of Foreign Process signed by Ms. Nirala Bansee-Sookhai, Acting Registrar of the Supreme Court of Judicature of the Republic of Trinidad and Tobago, dated November 1, 2017.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on June 4, 2019 in New York, New York

/s/ John J. Kuster

John J. Kuster